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U.S. DISTRICT COURT E.D.N.Y.

July 12, 2019

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BROOKLYN OFFICE

***Re: Payment Card Interchange Fee and Merchant Discount
Antitrust Litigation, MDL-1720***

To Whom it may concern,

A federal court in New York issued a preliminary approval of the \$6.24 billion settlement in the consolidated payment card interchange fee class action case. We are in opposition to the terms of the settlement payout that state the \$6.24 billion fund will be distributed to the entities Exxon- (Tosco, Tower Energy) Shell-(Arizona Fuels), and Chevron Corporation that “accepted VISA branded and/or MasterCard branded credit cards between January 1, 2004 and January 25, 2019.” While branded distributors incontrovertibly accepted both VISA and MasterCard cards, branded distributors are not known to VISA or MasterCard because their branded distributors, in this case the entities Exxon- (Tosco, Tower Energy), Shell-(Arizona Fuels), and Chevron Corporation are the ones who are on record with the credit card companies.

The preliminary approval order of the settlement agreement was issued on January 24th, 2019. I have been told that other major brand suppliers have pledged to pass through the amounts they receive from the settlement to their branded distributors. I would like to make sure that the entities Exxon- (Tosco, Tower Energy), Shell-(Arizona Fuels), and Chevron Corporation (my different suppliers and credit card processors) will pledge that the portion of the settlement it receives will be passed on, *pro rata*, to us (Denmar Corporation) the branded distributors of Exxon, Shell and Chevron. Any other position would be grossly unfair.

I thank you for your assistance.



Stephen Austin
Vice President
Denmar Corporation